

**RICHARD R. WILSON, P.C.**

**Attorney at Law  
A Professional Corporation  
518 N. Center Street, Ste. 1  
Ebensburg, PA 15931**

(814) 419-8152  
888-454-3817 (Toll Free)  
(814) 419-8156 FAX  
[rwilson@rrwilson.net](mailto:rwilson@rrwilson.net) – Email  
[www.rrwilsonesq.com](http://www.rrwilsonesq.com) - Website

851 Twelfth Street  
Oakmont, PA 15139

Of Counsel to:  
Vuono & Gray LLC  
2310 Grant Building  
Pittsburgh, PA 15219  
(412) 471-1800  
(412) 471-4477 FAX

September 2, 2010



Office of Proceedings  
Surface Transportation Board  
395 E Street, SW, Ste. 1260  
Washington, DC 20423-0001

Re: Docket No. AB-1017X – West Shore Railroad Corporation – Abandonment  
Exemption – In Union and Northumberland Counties, PA

Dear Sir:

227755

Enclosed for filing please find the original and ten copies of the Lewisburg Area Recreation Authority's Petition to Partially Vacate Notice of Interim Trail Use between M.P. 0.0 and State Route 405 in Northumberland County, Pennsylvania. Copies of this Petition have been served on the parties of record.

Please time stamp the copy of this letter as proof of filing and return it to the undersigned in the enclosed self addressed, stamped envelope provided.

Should you have any further questions with this Petition, please do not hesitate to contact the undersigned.

Very truly yours,

RICHARD R. WILSON, P.C.

Richard R. Wilson, Esq.  
Attorney for Lewisburg Area Recreation  
Authority

**ENTERED  
Office of Proceedings**

SEP -9 2010

**Part of  
Public Record**

RRW/bab  
Enclosure

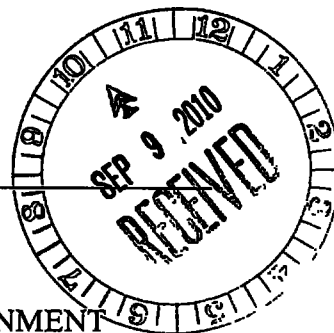
xc: Lewisburg Area Recreation Authority  
West Shore Railroad Corporation  
Northumberland County Commissioners

**ENTERED  
Office of Proceedings**

SEP -9 2010

**Part of  
Public Record**

Before the  
SURFACE TRANSPORTATION BOARD



DOCKET NO. AB-1017X

WEST SHORE RAILROAD CORPORATION - ABANDONMENT  
EXEMPTION - IN UNION AND NORTHUMBERLAND  
COUNTIES, PENNSYLVANIA

227755

PETITION TO PARTIALLY VACATE NOTICE OF INTERIM TRAIL USE

RICHARD R. WILSON, ESQ.  
Attorney for Lewisburg Area  
Recreation Authority

RICHARD R. WILSON, P.C.  
518 N. Center Street, Ste. 1  
Ebensburg, PA 15931  
(814) 419-8152  
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COUNTIES, PENNSYLVANIA

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PETITION TO PARTIALLY VACATE NOTICE OF INTERIM TRAIL USE

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On November 12, 2007, West Shore Railroad Corporation (“West Shore”) entered into an Agreement with Lewisburg Area Recreation Authority (“LARA”) for the sale of the Mifflinburg Branch in Union and Northumberland Counties, Pennsylvania for recreational trail use subject to the filing of a Notice of Exemption in the above captioned proceeding by West Shore and the issuance of a Notice of Interim Trail Use by the Surface Transportation Board. West Shore informed the Board of the West Shore-LARA interim trail use agreement of sale in the Notice of Exemption filed April 2, 2008. The Notice of Exemption was served and published in *The Federal Register* on April 21, 2008 (73 F.R. 21406-07).

On April 24, 2008, LARA, pursuant to the agreement of sale, filed a Request for Issuance of a Notice of Interim Trail Use with the STB. Subsequently, on June 26, 2008, the Surface Transportation Board issued a Notice of Interim Trail Use indicating that if an Interim Trail Use/Railbanking Agreement were reached by the 180<sup>th</sup> day after the service date of the Decision and Notice (December 23, 2008) interim trail use would be implemented. Based on this authorization, the parties closed on the Agreement of Sale and West Shore conveyed all of

its right, title and interest in the Mifflinburg Branch to LARA by quit claim deed dated September 8, 2008.

LARA has now determined that there are significant impediments to preserving the Mifflinburg Branch right of way for interim trail use in Northumberland County from east of State Route 405 to M.P. 0.0. See Exhibit A. This section of the right of way passes through a wetland/catch basin where the former rail bed has been subject to subsidence that would now have to be crossed by the trail using extensive wooden bridging requiring continual maintenance. In addition, there is not sufficient right of way available at locations adjacent to public highways to create safe and adequate trailheads along this section of the right of way. Thus, public accessibility to this portion of the right of way is very limited and presents public safety issues.


In light of these developments, LARA has determined that the best course of action is to request that the STB vacate the Notice of Interim Trail Use from M.P. 0.0 to State Route 405 on the east bank of the Susquehanna River. By vacating the Notice of Interim Trail Use for this portion of the Mifflinburg Branch, it will become subject to the abandonment exemption authorized in this proceeding and can be disposed of in accordance with state property law. Vacating the Notice of Interim Trail Use for this section of the right of way will not sever the rest of the Mifflinburg Branch from the national rail transportation network because the rest of the Branch intersects with the Union County Industrial Railroad in Lewisburg, PA on the west bank of the Susquehanna River.

Accordingly, LARA respectfully requests that the STB vacate the Notice of Interim Trail Use for that portion of the Mifflinburg Branch described above in Northumberland County, PA.

Respectfully submitted,

RICHARD R. WILSON, P.C.

By:

A handwritten signature in black ink, appearing to read "Richard R. Wilson", written over a horizontal line.

Richard R. Wilson, Esq,  
Attorney for Lewisburg Area  
Recreation Authority

Dated: September 2, 2010

Send To Printer

Back To MSR Maps

Change to 11x17 Print Size

Show Grid Lines

Change to Landscape

USGS 2 km E of Lewisburg, Pennsylvania, United States 01 Jul 1995

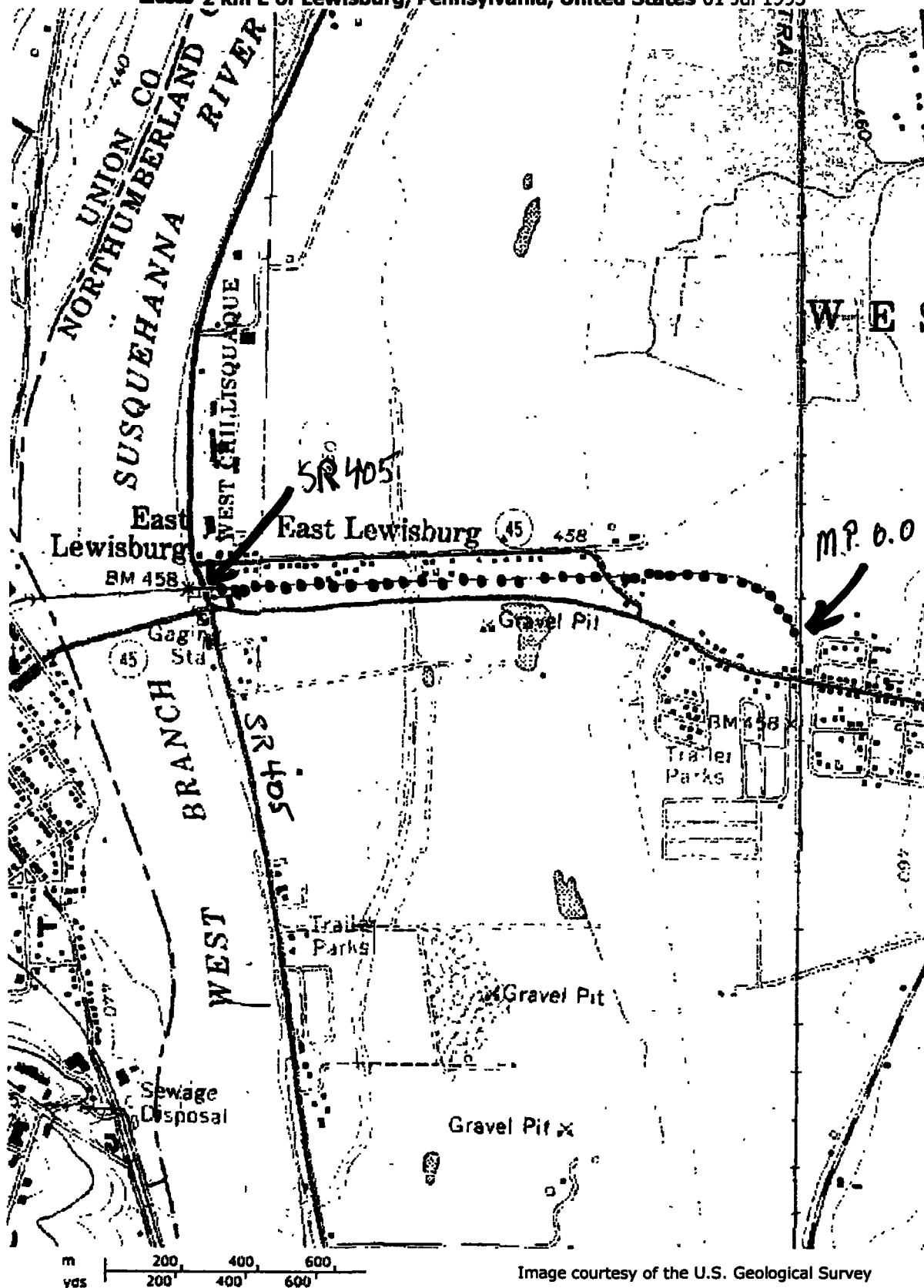


Image courtesy of the U.S. Geological Survey

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Exhibit A

VERIFICATION

I, Trey Casmir, being duly sworn, dispose and state that I am Chairman of the Lewisburg Area Recreation Authority and that I am authorized to make this Verification. I have read the foregoing Petition and the facts asserted therein are true and accurate to the best of my knowledge, information and belief.

September 2, 2010  
Date

Trey Casmir  
Trey Casmir

CERTIFICATE OF SERVICE

I hereby certify that on this 2<sup>nd</sup> day of September, 2010, a copy of the foregoing  
Petition to Partially Vacate Notice of Interim Trail Use was served by first class mail, postage  
prepaid, upon:

Mr. Eric Winslow  
West Shore Railroad Corporation  
8030 West Branch Highway  
Lewisburg, PA 17837

Board of Commissioners  
Northumberland County  
Samuel Deitrick, Chairman  
Sunbury, PA 17801

  
Richard R. Wilson, Esq.